

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

IN RE: AUTOMOTIVE PARTS ANTITRUST LITIGATION	: No. 12-md-02311
	: Hon. Marianne O. Battani
	: Case No. 2:12-cv-00103
	: Case No. 2:12-cv-00203
	: Case No. 2:12-cv-00303
	: Case No. 2:12-cv-00403
	: Case No. 2:12-cv-00503
	: Case No. 2:12-cv-00603
	: Case No. 2:13-cv-00703
	: Case No. 2:13-cv-00803
	: Case No. 2:13-cv-00903
	: Case No. 2:13-cv-01003
IN RE: WIRE HARNESS	: Case No. 2:13-cv-01103
IN RE: INSTRUMENT PANEL CLUSTERS	: Case No. 2:13-cv-01303
IN RE: FUEL SENDERS	: Case No. 2:13-cv-01403
IN RE: HEATER CONTROL PANELS	: Case No. 2:13-cv-01503
IN RE: BEARINGS	: Case No. 2:13-cv-01603
IN RE: OCCUPANT SAFETY SYSTEMS	: Case No. 2:13-cv-01703
IN RE: ALTERNATORS	: Case No. 2:13-cv-01803
IN RE: ANTI-VIBRATIONAL RUBBER PARTS	: Case No. 2:13-cv-01903
IN RE: WINDSHIELD WIPERS	: Case No. 2:13-cv-02003
IN RE: RADIATORS	: Case No. 2:13-cv-02103
IN RE: STARTERS	: Case No. 2:13-cv-02203
IN RE: SWITCHES	: Case No. 2:13-cv-02303
IN RE: IGNITION COILS	: Case No. 2:13-cv-02403
IN RE: MOTOR GENERATORS	: Case No. 2:13-cv-02503
IN RE: STEERING ANGLE SENSORS	: Case No. 2:13-cv-02603
IN RE: HID BALLASTS	: Case No. 2:13-cv-02703
IN RE: INVERTERS	: Case No. 2:13-cv-02803
IN RE: ELECTRONIC POWERED STEERING ASSEMBLIES	: Case No. 2:15-cv-03003
IN RE: AIR FLOW METERS	: Case No. 2:15-cv-03203
IN RE: FAN MOTORS	: Case No. 2:16-cv-03803
IN RE: FUEL INJECTION SYSTEMS	: Case No. 2:16-cv-03903
IN RE: POWER WINDOW MOTORS	:
IN RE: AUTOMATIC TRANSMISSION FLUID WARMERS	:
IN RE: VALVE TIMING CONTROL DEVICES	:
IN RE: ELECTRONIC THROTTLE BODIES	:
IN RE: AIR CONDITIONING SYSTEMS	:
IN RE: WINDSHIELD WASHER SYSTEMS	:
IN RE: SPARK PLUGS	:
IN RE: AUTOMOTIVE HOSES	:
IN RE: CERAMIC SUBSTRATES	:
IN RE: POWER WINDOW SWITCHES	:

THIS DOCUMENT RELATES TO:  
ALL END-PAYOR ACTIONS

**ORDER GRANTING END-PAYOR PLAINTIFFS' UNOPPOSED MOTION FOR  
AUTHORIZATION TO DISSEMINATE SEPTEMBER 2016 NOTICE AND CLAIM  
FORM TO THE END-PAYOR PLAINTIFFS SETTLEMENT CLASSES**

End-Payor Plaintiffs ("EPPs") previously settled ("Round 1 Settlements") with 11 Defendants and their affiliates ("Round 1 Settling Defendants"). The Court entered orders finally approving the Round 1 Settlements on August 9, 2016. *See, e.g., Wire Harness*, 2:12-cv-00103, ECF No. 512. EPPs have now settled ("Round 2 Settlements") with an additional 12 Defendants and their affiliates ("Round 2 Settling Defendants").<sup>1</sup>

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The Round 2 Settling Defendants are: (1) Aisin Seiki Co., Ltd. and Aisin Automotive Casting, LLC (together, "Aisin Seiki") (*Valve Timing Control Devices*); (2) DENSO Corporation, DENSO International America, Inc., DENSO International Korea Corporation, DENSO Korea Automotive Corporation, DENSO Automotive Deutschland GmbH, ASMO Co., Ltd., ASMO North America, LLC, ASMO Greenville of North Carolina, Inc., and ASMO Manufacturing, Inc. (collectively, "DENSO") (*Wire Harness Systems; Instrument Panel Clusters; Fuel Senders; Heater Control Panels; Alternators; Windshield Wiper Systems; Radiators; Starters; Ignition Coils; Motor Generators; HID Ballasts; Inverters; Fan Motors; Fuel Injection Systems; Power Window Motors; Automatic Transmission Fluid Warmers; Valve Timing Control Devices; Air Conditioning Systems; Windshield Washer Systems; Spark Plugs; Ceramic Substrates*); (3) Furukawa Electric Co., Ltd. and American Furukawa, Inc. (together, "Furukawa") (*Wire Harness Systems*); (4) G.S. Electech, Inc., G.S. Wiring Systems, Inc., and G.S.W. Manufacturing, Inc. (collectively, "G.S. Electech") (*Wire Harness Systems*); (5) Leoni Wiring Systems, Inc. and Leonische Holding Inc. (together, "Leoni") (*Wire Harness Systems*); (6) Mitsubishi Electric Corporation, Mitsubishi Electric US Holdings, Inc., and Mitsubishi Electric Automotive America, Inc. (collectively, "MELCO") (*Wire Harness Systems; Alternators; Starters; Ignition Coils; Fuel Injection Systems; Valve Timing Control Devices; HID*

On September 8, 2016, EPPs filed a Motion for Approval of Plan of Allocation of Settlement Proceeds to distribute all settlement funds as to which the Court has granted final approval (“Plan of Allocation”). *See, e.g., Wire Harness*, 2:12-cv-00103, ECF No. 523.

EPPs seek to provide notice of: (i) the Round 2 Settlements to members of the Settlement Classes for those settlements (collectively, “Round 2 Settlement Classes”); and (ii) the proposed Claim Form and Plan of Allocation to members the Settlement Classes for the Round 1 and Round 2 Settlements.

Upon consideration of EPPs’ Unopposed Motion for Authorization to Disseminate September 2016 Notice and Claim Form to the End-Payor Plaintiffs Settlement Classes (“Motion”), it is hereby ORDERED as follows:

1. The Motion is hereby **GRANTED**.
2. Unless otherwise set forth herein, all defined terms shall have the same meaning ascribed to them in the applicable settlement agreements.

September 2016 Notice to Potential Class Members

3. The Court approves the form and content of the: (a) Long Form Notice; (b) Short Form Notice (together, “September 2016 Notice”); and (c) Claim Form.

4. The Court finds that the posting and publication of the Long Form Notice and Short Form Notice, respectively, in the manner set forth herein constitutes the best notice practicable under the circumstances and is valid, due and sufficient notice to all persons entitled

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*Ballasts; Electronic Powered Steering Assemblies*); (7) NSK Ltd., NSK Americas, Inc., NSK Steering Systems Co., Ltd. and NSK Steering Systems America, Inc. (collectively, “NSK”) (*Bearings; Electronic Powered Steering Assemblies*); (8) Omron Automotive Electronics Co. Ltd. (“Omron”) (*Power Window Switches*); (9) Schaeffler Group USA Inc. (“Schaeffler”) (*Bearings*); (10) Sumitomo Riko Co. Ltd. and DTR Industries, Inc. (together, “Sumitomo Riko”) (*Anti-vibrational Rubber Parts; Automotive Hoses*); (11) Tokai Rika Co., Ltd. and TRAM, Inc. d/b/a Tokai Rika U.S.A. Inc. (together, “Tokai Rika”) (*Wire Harness Systems*); and (12) Valeo Japan Co., Ltd., on behalf of itself and Valeo Inc., Valeo Electrical Systems, Inc., and Valeo Climate Control Corp. (collectively, “Valeo”) (*Air Conditioning Systems*).

thereto and complies fully with the requirements of Federal Rule of Civil Procedure 23 and the due process requirements of the Constitution of the United States.

5. On or before **November 29, 2016**, Garden City Group, LLC (“GCG”), the Court-appointed Settlement Administrator, shall begin to publish relevant documents on the Settlement Website, including: (1) the complaints applicable to the Round 2 Settlements; (2) the settlement agreements with the Round 2 Settling Defendants; (3) the Orders preliminarily approving the Round 2 Settlements; (4) this Motion; (5) the Long Form Notice; (6) the Claim Form; (7) the Motion for Approval of Plan of Allocation of Settlement Proceeds; and (8) the Plan of Allocation.<sup>2</sup>

6. On or before **November 29, 2016**, Kinsella Media, LLC (“Kinsella”), the Court-appointed Notice Administrator, shall commence publication of the Short Form Notice in newspaper supplements, a newspaper, and trade and consumer publications; begin online media notice activities, including posting internet banner ads, creating organic and paid keyword searches and using targeted internet advertising; and begin earned media activities in the manner set forth in the September 2016 Notice Program as described in the Declaration of Shannon R. Wheatman, Ph.D on Adequacy of the Notice and Notice Plan, filed contemporaneously herewith.

7. On or before **November 29, 2016**, GCG will begin to send email or mailed notice to those individuals who previously registered on the website, notifying them about the Round 2 Settlements and Plan of Allocation and directing them to visit the website to read updated information about the Round 2 Settlements and Plan of Allocation.

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<sup>2</sup> In accordance with the Court’s prior notice orders, GCG has already launched a toll-free hotline and Settlement Website. *See, e.g., Alternators*, 2:13-cv-00703, ECF No. 55; ECF No. 66.

8. On or before **February 9, 2017**, EPPs shall file with the Court affidavits or declarations of the persons responsible for the posting of the Long Form Notice and publication of the Short Form Notice, reporting on the status of the mailing, posting, and publication of the Long Form Notice and Short Form Notice.

9. On or before **February 9, 2017**, Robins Kaplan LLP, Cotchett, Pitre & McCarthy, LLP, and Susman Godfrey L.L.P. (“Settlement Class Counsel”) shall file with the Court their Motion for Final Approval of the Round 2 Settlements and, if Settlement Class Counsel elects, a Motion for Attorneys’ Fees and Reimbursement of Expenses.

10. All requests for exclusion from the Round 2 Settlement Classes must be in writing and received by GCG no later than **March 16, 2017**, and must otherwise comply with the requirements set forth in the September 2016 Notice.

11. Any member of the Round 2 Settlement Classes that objects to any of the proposed settlements with Aisin Seiki, DENSO, Furukawa, G.S. Electech, Leoni, MELCO, NSK, Omron, Schaeffler, Sumitomo Riko, Tokai Rika, or Valeo must do so in writing, specifically referencing which of the settlements the Class member objects to, and be received by GCG no later than **March 16, 2017**, and must otherwise comply with the requirements set forth in the September 2016 Notice.

12. Any member of the Round 1 or Round 2 Settlement Classes that objects to the Plan of Allocation must do so in writing which must be received by GCG no later than **March 16, 2017**, and must otherwise comply with the requirements set forth in the September 2016 Notice.

13. Each member of the Round 2 Settlement Classes shall retain all rights and causes of action with respect to claims against all non-settling Defendants, regardless of whether such

member of the Round 2 Settlement Classes decides to remain in, or request exclusion from, any or all of the Round 2 Settlement Classes.

14. The Court will hold a **Fairness Hearing on APRIL 19, 2017, at 2:00 p.m.**, after entry of this Order, at the Theodore Levin U.S. Courthouse, Courtroom 272, 231 West Lafayette Blvd., Detroit MI 48226, to determine the fairness, reasonableness, and adequacy of the proposed settlements with the Round 2 Settling Defendants, and, if requested, to consider whether to grant Settlement Class Counsel's request for attorneys' fees and reimbursement of expenses. The Court may also decide whether to approve the Plan of Allocation. Any Settlement Class member who follows the procedure set forth in the September 2016 Notice may appear and be heard at this hearing. The Fairness Hearing may be rescheduled, adjourned or continued without further notice to the Round 2 Settlement Classes.

SO ORDERED.

Date: October 7, 2016

s/Marianne O. Battani  
MARIANNE O. BATTANI  
United States District Judge

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing Order was served upon counsel of record via the Court's ECF System to their respective email addresses or First Class U.S. mail to the non-ECF participants on October 7, 2016.

s/ Kay Doaks  
Case Manager